

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CADECUS LLC d/b/a CAFE RACER,
individually and on behalf of all others similarly
situated,

No. 2:21-cv-00050-BJR

V.

SCOTTSDALE INSURANCE COMPANY,

Defendant.

STIPULATION

In accordance with the Order Regarding Initial Disclosures and Joint Status Report (Dkt. No. 7), the parties conferred pursuant to Fed. R. Civ. P. 26 on February 18, 2021.

Defendant filed a dispositive motion under Fed. R. Civ. P. 12 on February 25, 2021. See Dkt. No. 13 (Order Granting Stipulated Motion to Extend Time to Respond to Complaint); Dkt. No. 20 (Defendant's Corrected Motion to Dismiss); Dkt. No. 21 (Defendant's Corrected Declaration in support of Defendant's Corrected Motion to Dismiss). The parties believe that the Defendant's motion will be fully briefed shortly after the existing briefing schedule in the coordinated COVID-19 coverage cases that are also pending before this Court.

STIPULATION AND ORDER STAYING DISCOVERY AND
RELATED DEADLINES (2:21-cv-00050-BJR) - 1

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In an effort to preserve judicial economy, the parties stipulate and respectfully propose the following:

1. Discovery should be stayed in this case as it has been in a number of the other COVID-19 coverage cases.

2. Deadlines in the Order Regarding Initial Disclosures and Joint Status Report (Dkt. No. 7) should be stayed.

3. The parties will confer about i) the exchange of discovery pursuant to Fed. R. Civ. P. 26; ii) the timing of Plaintiff's motion for class certification pursuant to Fed. R. Civ. P. 23; and iii) other appropriate case scheduling matters to the extent appropriate after the Court has ruled on the merits of Defendant's dispositive motion.

4. To correct a typographical error, the case caption should be corrected to “CADECEUS LLC d/b/a CAFE RACER.”

5. This stipulation is made without prejudice to Defendant raising any available merits defenses.

IT IS SO STIPULATED.

DATED this 26th day of February, 2021.

KELLER ROHRBACK L.L.P.

By: s/ Amy Williams-Derry

By: Lynn L. Sarko

By: s/ Ian S. Birk

By: Gretchen Freeman Cappio

By: s/ Irene M. Hecht

By: s/ Gabriel E. Verdugo

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STIPULATION AND ORDER STAYING DISCOVERY AND
RELATED DEADLINES (2:21-cv-00050-BJR) - 2

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ORDER

Having reviewed the foregoing Stipulation of the parties, and finding that good cause exists for the requested relief, the Court HEREBY GRANTS the relief requested, as follows:

1. Discovery is HEREBY STAYED.
2. Deadlines of the Order Regarding Initial Disclosures and Joint Status Report are HEREBY STAYED.

3. The parties SHALL CONFER about i) the exchange of discovery pursuant to Fed. R. Civ. P. 26; ii) the timing of Plaintiff's motion for class certification pursuant to Fed. Civ. P. 23; and iii) other appropriate case scheduling matters to the extent appropriate after the Court has ruled on the merits of Defendant's dispositive motion.

4. This Order is issued without prejudice to Defendant raising any possible defenses later in the case.

5. The Clerk is directed to change the plaintiff's name as reflected in the case caption to "CADECEUS LLC d/b/a CAFE RACER."

IT IS SO ORDERED.

DATED this 1st day of March, 2021.

Barbara Rothstein

Honorable Barbara J. Rothstein
United States District Court Judge